

REMARKS

The Applicant has now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action that was mailed January 10, 2008. The allowance of claims 4-9 and the acknowledgement of allowable subject matter in claims 14 and 16-18 are noted with appreciation. While, the rejections of claims 10-13, 15 and 19-23 continue to be traversed for the reasons previously presented, in the interest of compact prosecution, the claims are being amended to allow the subject matter that has been acknowledged to be allowable to issue as a patent.

The Office Action

In the Office Action that was mailed January 10, 2008:

claims 4-9 were allowed;

claims 14 and **16-18** were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims;

claims 10-13, 15 and **19-23** were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,612,793 to Ito et al. ("Ito") (note the Office Action refers to this patent as -- Akio -- at least once in the rejection).

The Claims are not Anticipated

Claims 10-13, 15 and **19-23** were rejected under 35 USC §102(b) as being anticipated by Ito.

While these rejections are respectfully traversed for the reasons presented in Applicant's Amendment I, in the interest of compact prosecution, **claims 14** and **16-18**, which were indicated to be allowable if rewritten in independent form, have each been placed in independent form. Additionally, **claims 10, 13** and **21-23** have been canceled. **Claims 11, 15** and **19** have been amended to depend from allowable **claim 16**. **Claim 12** depends from **claim 11** which is now allowable at least by virtue of the fact that it now depends from allowable **claim 16**. **Claim 20** depends from **claim 19** which is allowable at least by virtue of the fact that it now depends from allowable **claim 16**.

Additionally, withdrawn **claims 1-3** have been canceled.

For at least the foregoing reasons, **claims 11 and 12 and 14-20** are not anticipated by Ito, and the application is in condition for allowance.

CONCLUSION

Claims 1-3 have been canceled. **Claims 4-9** have been allowed. **Claims 14 and 16-18** have been identified as including allowable subject matter and have been placed in independent form. **Claims 10, 13 and 21-23** have been canceled. **Claims 11, 12, 15, 19 and 20** now depend ultimately from allowable **claim 16**. Accordingly, all of the claims that remain in the application are allowed or are undisputedly allowable. Accordingly, the application is in condition for allowance and an early indication thereof is respectfully requested.

No additional fee is believed to be required for this Amendment J. However, the undersigned attorney of record hereby authorizes the charging of any necessary fees, other than the issue fee, to Xerox Deposit Account No. 24-0037.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Joseph D. Dreher, at Telephone Number (216) 861-5582.

☒ Remaining Claims, as delineated below:


(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT LESS HIGHEST NUMBER PREVIOUSLY PAID FOR		(3) NUMBER EXTRA
TOTAL CLAIMS	17	- 23 =	0
INDEPENDENT CLAIMS	6	- 4 =	2

☒ This is an authorization under 37 CFR 1.136(a)(3) to treat any concurrent or future reply, requiring a petition for extension of time, as incorporating a petition for the appropriate extension of time.

☒ The Commissioner is hereby authorized to charge any filing or prosecution fees which may be required, under 37 CFR 1.16, 1.17, and 1.21 (but not 1.18), or to credit any overpayment, to Deposit Account 24-0037.

Respectfully submitted,

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CERTIFICATE OF MAILING OR TRANSMISSION

Under 37 C.F.R. § 1.8, I certify that this Amendment is being

☐ deposited with the United States Postal Service as First Class mail, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

☒ transmitted to the USPTO by electronic transmission via EFS-Web on the date indicated below.
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Date <i>June 13, 2008</i>	Printed Name Mary Ann Temesvari

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